

RECEIVED  
USDC CLERK, FLORENCE, SC

2017 OCT 20 PM 4:11

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

Marcus D. Kelly, Plaintiff

*(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)*

-against-

QVC; Kathy McGeary, Employee Relations  
Mike George, CEO of QVC  
Sterling Infosystems (Ms. Clare Hart, CEO)

*(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)*

Complaint for a Civil Case

Case No. \_\_\_\_\_  
*(to be filled in by the Clerk's Office)*

Jury Trial: ☒ Yes ☐ No  
*(check one)*

**I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	<u>Marcus D. Kelly</u>
Street Address	<u>P.O. Box 3232</u>
City and County	<u>Florence</u>
State and Zip Code	<u>South Carolina 29502</u>
Telephone Number	<u>843-496-0186</u>

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

**Defendant No. 1**

Name	<u>QVC</u>
Job or Title (if known)	<u>Shipping &amp; Receiving Dept.</u>
Street Address	<u>2300 TV Road</u>
City and County	<u>Florence</u>
State and Zip Code	<u>South Carolina 29506</u>
Telephone Number	<u>843-673-7800</u>

**Defendant No. 2**

Name	<u>Mr. Mike George</u>
Job or Title (if known)	<u>CEO of QVC</u>
Street Address	<u>1200 Wilson Drive</u>
City and County	<u>West Chester</u>
State and Zip Code	<u>Pennsylvania 19380</u>
Telephone Number	<u>484-701-1005</u>

**Defendant No. 3**

Name	<u>Ms. Kathy McGeary</u>
------	--------------------------

Job or Title (if known)	<u>Employee Relations</u>
Street Address	<u>1200 Wilson Drive</u>
City and County	<u>West Chester</u>
State and Zip Code	<u>Pennsylvania 19380</u>
Telephone Number	<u>484-701-1005</u>
Defendant No. 4	
Name	<u>Steeling Info systems / Compliance Dept.</u>
Job or Title (if known)	<u>Ms. Clare Hunt, CEO</u>
Street Address	<u>6111 Oak Tree Blvd., Suite 400</u>
City and County	<u>Independence</u>
State and Zip Code	<u>Ohio 44131</u>
Telephone Number	<u>1-800-853-3228</u>

## II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (check all that apply)

☒ Federal question

☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

### A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

Plaintiff has been violated under federal laws and the U.S. Constitution by wrongful termination, discrimination by race, color and gender, retaliation, etc.

**B. If the Basis for Jurisdiction Is Diversity of Citizenship**

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, (name) Marcus D. Kelly, is a citizen of the State of (name) South Carolina.

b. If the plaintiff is a corporation

The plaintiff, (name) \_\_\_\_\_, is incorporated under the laws of the State of (name) \_\_\_\_\_, and has its principal place of business in the State of (name) \_\_\_\_\_.

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

2. The Defendant(s)

a. If the defendant is an individual

The defendant, (name) Mike George, is a citizen of the State of (name) Pennsylvania. Or is a citizen of (foreign nation) \_\_\_\_\_.

b. If the defendant is a corporation

The defendant, (name) QVC, is incorporated under the laws of the State of (name) South Carolina, and has its principal place of business in the State of (name) South Carolina. Or is incorporated under the laws of (foreign nation) \_\_\_\_\_, and has its principal place of business in (name) \_\_\_\_\_.

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

Page 2/A

Defendants:

② Ms. Kathy McHeary  
Employee Relations  
1200 Wilson Drive  
West Chester, Pennsylvania 19380  
484-701-1005

Ms. Clare Hart, CEO  
Sterling Infosystems Compliance Dept.  
6111 Oak Tree Blvd., Suite 400  
Independence, Ohio 44131  
1-800-853-3228



### 3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

I Lost my salary, place of Residence, transportation, furthering my education, developed stress, depression, Medical problems came out of remission, Social Life vanished, loss of job opportunities

### III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

① Plaintiff was terminated from wrongful termination; due to gender, ② wrong background check; ③ untrue statements made by another employee (female); ④ No policy to support termination; ⑤ discrimination; ⑥ Retaliation; ⑦ AGE; ⑧ Color; ⑨ Race.

### IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Plaintiff entitled to punitive money damages of \$100,000.00 or more. Plaintiff was terminated from wrongdoings. Plaintiff was terminated due to another employee stating actions taken at another property (not QVC), not on QVC employment clock time, and has caused plaintiff stress, depression, loss of employment, medical problems, loss of residence, transportation, loss of reputation, etc.

**V. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 10/16/, 2017.

Signature of Plaintiff Marcus D. Kelly  
 Printed Name of Plaintiff Marcus D. Kelly

**B. For Attorneys**

Date of signing: 10/16/, 2017.

Signature of Attorney PRO SE  
 Printed Name of Attorney \_\_\_\_\_  
 Bar Number \_\_\_\_\_  
 Name of Law Firm \_\_\_\_\_  
 Address \_\_\_\_\_  
 Telephone Number \_\_\_\_\_  
 E-mail Address \_\_\_\_\_